

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

GLEN PURDY

v.

CIPPCO INC., et al.

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CIVIL ACTION

NO. 24-5126

ORDER

AND NOW, this 2nd day of April, 2025, upon consideration of Defendants Laborers Local 332 d/b/a LIUNA and John McCarty, Jr.'s Motion to Dismiss the Amended Complaint (Docket No. 19) and Plaintiff's response thereto, and for the reasons stated in the accompanying Memorandum, **IT IS HEREBY ORDERED** as follows:

1. The Motion is **GRANTED** insofar as the discrimination claim against the moving Defendants contained in Count I is **DISMISSED WITHOUT PREJUDICE**.
2. Plaintiff shall file any second amended complaint no later than May 2, 2025.
3. If Plaintiff does not elect to file a second amended complaint, this case will proceed as to the surviving claims in the Amended Complaint: the discrimination claim against the non-moving Defendants in Count I, the retaliation claim against all Defendants in Count I, and Count II. If no second amended complaint is timely filed, moving Defendants shall respond to the remaining claim against them no later than May 16, 2025.

BY THE COURT:

/s/ John R. Padova, J.

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